

CHAPTER 4-07-21 ALTERNATIVE DISPUTE RESOLUTION

Section

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4-07-21-01. Scope of chapter. This chapter applies to all state and local government agencies, departments, institutions, and boards and commissions that employ individuals in positions classified by human resource management services.

History: Effective September 1, 1992; amended effective November 1, 1996; July 1, 2004.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-21-02. Definitions. The terms used throughout this chapter have the same meaning as in North Dakota Century Code chapter 54-44.3, except "alternative dispute resolution" means a method of resolving disputes, outside the grievance process, that involves a neutral person to assist in identifying issues, developing options, and arriving at a resolution.

History: Effective September 1, 1992; amended effective November 1, 1996.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-21-03. Alternative dispute resolution. Alternative dispute resolution may be used to resolve disputes that occur within an agency. All parties involved in the dispute must agree to the use of alternative dispute resolution prior to using the method.

History: Effective September 1, 1992; amended effective November 1, 1996.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)

4-07-21-04. Grievance time limits suspended. During the time period when the agency appointing authority and the employee involved in a dispute are utilizing alternative dispute resolution, the time limits of the internal agency grievance procedure must be suspended. If a resolution is not agreed to by the participants at the conclusion of the resolution process, then the time limits of the agency grievance procedure must be activated. The alternative dispute resolution

process facilitator shall determine the date of conclusion of the resolution process and notify the parties.

History: Effective September 1, 1992; amended effective November 1, 1996.

General Authority: NDCC 54-44.3-12

Law Implemented: NDCC 54-44.3-12(1)